IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3395 of 2007()

ST.2278/2005 of J.M.F.C.,ALATHUR
CRIME NO.387/05 OF VADAKKENCHERRY POLICE STATION

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PETITIONERS :

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1. VELAYUDHAN, S/O.KUNJU, AGED 38 YEARS.
PUNNAKKALPARAMBU, MUDAPPALLOOR
ALATHUR TALUK, PALAKKAD DISTRICT.

2. KANNAN, S/O. ARU, AGED 38 YEARS
- DO -

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:

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1. STATE OF KERALA REP.BY PUBLIC PROSECUTOR,
OFFICE OF THE ADVOCATE GENERAL, HIGH COURT
OF KERALA, ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
VADAKKENCHERRY POLICE STATION,
PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3395 OF 2007

Dated this the 1st day of June, 2007

O R D E R

Petitioners, who are the accused in Crime No.387/2005 of Vadakkencherry Police Station for offences punishable under Secs.341 and 323 read with sec.34 I.P.C., seek anticipatory bail.

2. Consequent on the non-appearance of the petitioners in S.T. No.2278/2005 on the file of the J.F.C.M., Alathur, non-bailable warrants of arrest are pending against the petitioners. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after considering the explanation offered by them for their previous non-appearance.

With the above observation this application is disposed of .

(V. RAMKUMAR, JUDGE)

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